

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: Foreign Economic Industrial Bank Limited, “Vneshprombank” Ltd., Debtor in a Foreign Proceeding.	Case No. 16-13534 (MG) Chapter 15
In re: Larisa Markus, Debtor in a Foreign Proceeding.	Case No. 19-10096 (MG) Chapter 15
Yuri Rozhkov and The State Corporation “Deposit Insurance Agency”, Plaintiffs, v. LARMAR Foundation; Ilya Bykov; BG Atlantic, Inc.; LM Realty 31B, LLC; LM Realty 31C, LLC; LM Realty 27D, LLC; LM Realty 24C, LLC; LM Realty 23H, LLC; LM Realty 20A, LLC; LM Realty 18 West, LLC; LM Realty 10C, LLC; LM Property Management LLC; Innovative Construction Group, Inc.; First Integrated Construction, Inc.; and Larisa Markus, Defendants.	Adv. Proc. No. 19-01413 (MG) Adv. Proc. No. 19-01414 (MG)

ORDER [PROPOSED] STAYING OR EXTENDING CERTAIN DEADLINES

A telephonic conference was held at 10 a.m. on April 6, 2020 and certain parties appeared,¹ and the *Bank* FR, *Markus* FR, LM Entities and Protax Entities requested a stay or an extension of certain deadlines. Accordingly, it is hereby ORDERED:

¹ At the April 6, 2020, conference held via CourtSolutions (pursuant to General Order M-543):

Bruce Marks appeared for State Corporation “Deposit Insurance Agency” in its Capacity as Trustee and Foreign Representative for the Debtor (“**Bank** FR”) (No. 16-13534)(“*Bank*”); Yuri Vladimirovich Rozhkov in his Capacity as Trustee and Foreign Representative for the Debtor (“**Markus** FR”) (No. 19-10096); Plaintiff *Bank* FR in the *Bank* Adversary Proceeding (No. 19-01413)(“*DIA*”); and Plaintiff *Markus* FR in the *Markus* Adversary Proceeding (No. 19-01414)(“*Rozhkov*”);

Daniel Singer appeared in the four above-captioned actions for LARMAR Foundation; LM Realty 31B, LLC; LM Realty 27D, LLC; LM Realty 24C, LLC; LM Realty 23H, LLC; LM Realty 20A, LLC; LM Realty 18 West, LLC; LM Realty 10C, LLC; LM Property Management LLC; Innovative Construction

1. The deadlines in Case Management and Scheduling Order #2 (*DIA* ECF 10; *Rozhkov* ECF 10) (“CMO #2”) which were suspended pursuant to the March 24, 2020 Order (*Bank* ECF 197; *Markus* ECF 250) continue to be suspended. The parties that have appeared in this action shall meet and confer and provide new scheduling dates for CMO#2 items on or before **5:00 PM on May 7, 2020**;
2. The discovery deadlines of the October 31, 2019 Order (*Bank* ECF 165; *Markus* ECF 185) that were extended pursuant to the November 5, 2019 Order (*Bank* ECF 168; *Markus* ECF 191), the November 8, 2019 Order (*Bank* ECF 172; *Markus* ECF 203), the January 22, 2020 Order (*Bank* ECF 187; *Markus* ECF 233), February 21, 2020 Order (*Bank* ECF 193; *Markus* ECF 244), and then suspended pursuant to the March 24, 2020 Order (*Bank* ECF 197; *Markus* ECF 250), are as set forth below, with the understanding that i) counsel are continuing to work in good faith towards settlement and ii) the Covid 19 pandemic presents certain restrictions regarding discovery. Counsel shall confer in good faith to determine if further extensions are warranted:
 - a. **To 5 p.m. on May 21, 2020** for the LM Entities and Protax Entities to have an IT consultant or eDiscovery vendor, including but not limited to vDiscovery, identify all non-searchable files and use optical character recognition to convert them into searchable files.
 - b. **To 12 p.m. on May 27, 2020** for the LM Entities/Protax Entities to provide the Court for in camera review unredacted hard-copies of documents containing the key term “Andrey Steblin” (in Russian and English) – based on the Tozzi Declaration Exhibits (*Markus* ECF 155, 155-1, 155-2, 155-3) – which the LM Entities/Protax Entities believe are non-responsive to the respective subpoenas, along with a letter explaining why such documents are non-responsive and should not be produced (“**Steblin Explanation**”).
 - c. **To 12 p.m. on May 27, 2020** for the LM Entities/Protax Entities to produce responsive non-privileged documents containing the key terms “Granik” (in Russian and English) and “BG Atlantic”.
 - d. **To 5:00 p.m. on May 27, 2020** for the LM Entities/Protax Entities to produce the non-privileged responsive documents in the “France Folder” as stated at the hearing.
 - e. **To 12 p.m. on June 4, 2020** for the *Markus* and *Bank* Foreign Representatives (together, “**FRs**”) to respond to the Steblin Explanation.
 - f. **To 5 p.m. on June 4, 2020** for the LM Entities/Protax Entities to produce responsive non-privileged documents containing the key term “Andrey Steblin” (in Russian and English).

Group, Inc.; First Integrated Construction, Inc.; The Larisa Markus Revocable Trust: Protax Services Inc.; and Protax Services Consulting, Inc. and Ilya Bykov (collectively, “**LM Entities and Protax Entities**”).

Victor Worms appeared for Larisa Markus in the *Markus* case and the *Bank* in the *Bank* case.

Counsel did not appear for Ms. Markus or BG Atlantic, Inc. in the two adversary proceedings.

- g. To **June 22, 2020** for the LM Entities/Protax Entities to produce responsive and non-privileged documents to the 108 search terms.
- h. Paragraph 8 of the October 31, 2019 stipulation is amended to read as follows: "Within two (2) weeks of the production of the production of all Responsive Documents on June 22, 2020, the parties shall meet and confer to determine a deadline for producing a log of documents withheld by the LM Entities and Protax Entities on privilege grounds from any of the productions herein as set forth in the June 17, 2019 Discovery Order (*Markus ECF Doc. No. 69; Bank ECF No. 99*)

4. Dates regarding remand proceedings related to the Sanctions Order (*Markus ECF 157*) and Fees Order (*Markus ECF 200*) will be set by a separate order.

Dated: April ___, 2020
New York, New York

SO ORDERED:

MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE